



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 108219
9 November 2019

MUCKROCK
DEPT MR 81816
411A HIGHLAND AVE
SOMERVILLE, MA 02144-2516

Dear Emily Crose:

This responds to your Freedom of Information Act (FOIA) request of 16 October 2019, which was received by this office on 16 October 2019, for "Investigative records on the 2003 slammer worm which broke out and began attacking Microsoft SQL servers. These records would likely exist between the dates of January 2002 and January 2006. Please also include any records which may be responsive to internal impact from this worm and how it may have been remediated on FBI systems." Your letter has been assigned Case Number 108219. Please refer to this case number when contacting us about your request. There are no assessable fees for this request; therefore, we did not address your fee category." Your request has been processed under the provisions of the FOIA.

NSA collects and provides intelligence derived from foreign communications to policymakers, military commanders, and law enforcement officials. We do this to help these individuals protect the security of the United States, its allies, and their citizens from threats such as terrorism, weapons of mass destruction, foreign espionage, international organized crime, and other hostile activities. What we are authorized to do, and how we do it, is described in Executive Order 12333. Information about how NSA conducts signals intelligence activities is available on the websites of NSA (www.nsa.gov) and the Office of the Director of National Intelligence (www.dni.gov).

We have determined that the fact of the existence or non-existence of the materials you request is a currently and properly classified matter in accordance with Executive Order 13526, as set forth in Subparagraph (c) of Section 1.4. Thus, your request is denied pursuant to the first exemption of the FOIA which provides that the FOIA does not apply to matters that are specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign relations and are, in fact properly classified pursuant to such Executive Order.

In addition, this Agency is authorized by various statutes to protect certain information concerning its activities. The third exemption of the FOIA provides for the withholding of information specifically protected from disclosure by statute. Thus, your request is also denied because the fact of the existence or non-existence of the information is exempted from disclosure pursuant to the third exemption. The specific statutes applicable in this case are Section 6, Public Law 86-36 (50 U.S. Code 3605).

You may appeal this decision. If you decide to appeal, you should do so in the manner outlined below. NSA will endeavor to respond within 20 working days of receiving any appeal, absent any unusual circumstances.

- The appeal must be sent via U.S. postal mail, fax or electronic delivery (e-mail) and addressed to:

NSA FOIA/PA Appeal Authority (P132)
National Security Agency
9800 Savage Road STE 6932
Fort George G. Meade, MD 20755-6932

The facsimile number is 443-479-3612.

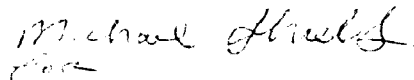
The appropriate email address to submit an appeal is FOIARSC@nsa.gov.

- It must be postmarked or delivered electronically no later than 90 calendar days from the date of this letter. Decisions appealed after 90 days will not be addressed.
- Please include the case number provided above.
- Please describe with sufficient detail why you believe the denial of requested information, was unwarranted.

You may also contact our FOIA Public Liaison at foialo@nsa.gov for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Rd- OGIS
College Park, MD 20740
ogis@nara.gov
877-684-6448
(Fax) 202-741-5769

Sincerely,

A handwritten signature in cursive script, appearing to read "John R. Chapman".

JOHN R. CHAPMAN
Chief, FOIA/PA Office
NSA Initial Denial Authority